

REMARKS

Claims 1-5 and 16-22 are pending in the application. Claims 1-5 and 7-22 stand allowed.

Claim 16 stands rejected under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent No. 5,660,672 to Li et al. ("Li"). In view of the remarks herein, the rejection is respectfully traversed, and reconsideration and allowance are respectfully requested.

Claim 16 is patentable over Li because Li neither teaches nor suggests a sensor to measure a phase difference between the magnetic field and the drive signal, as recited in claim 16. Instead, Li teaches that "During removal of the metal film, the signal output from the sensor circuit will keep changing, such as its peak amplitude, width, and resonant frequency." (Please see column 6, lines 51-53 of Li). Li teaches that thickness changes can be measured by sweeping the sensor excitation frequency and determining the resonant frequency and associated peak amplitude and width. (Please see, e.g., column 5 line 50 to column 6 line 42). Li does not teach a comparison of the drive signal to the measured signal, and thus does not teach a measurement of a phase difference between the two.

Further, since Li does not teach or suggest a sensor to measure the phase difference, Li cannot fairly be said to teach a computer configured to calculate a correction factor based on the strength of the magnetic field and calculate a thickness of the conductive layer from the phase difference and the correction factor, also recited in claim 16.

For at least the above reasons, claim 16 is patentable over Li.

Applicant : Boguslaw Swedek et al.  
Serial No. : 09/847,867  
Filed : May 2, 2001  
Page : 7 of 7

Attorney's Docket No.: 05542-451001 / 5252/CMP

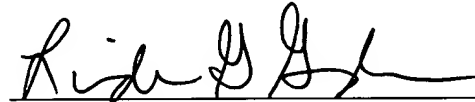
CONCLUSION

Claims 1-5 and 16-22 are thus in condition for allowance, and a notice to that effect is respectfully solicited. If the Examiner has any question regarding this response, the Examiner is invited to telephone the undersigned at (858) 678-5070.

No fees are believed due at this time. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 5/10/04



Linda G. Gunderson  
Reg. No. 46,341

Fish & Richardson P.C.  
12390 El Camino Real  
San Diego, California 92130  
Telephone: (858) 678-5070  
Facsimile: (858) 678-5099